

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

SEALED

UNITED STATES OF AMERICA

§

SEALED

VS.

§

CAUSE NO. 4:08CR 177

§

Judge Scheel

§

HIGINIO LOPEZ HERNANDEZ (1)

§

a.k.a. Gino

§

HENRY HERNANDEZ (2)

§

a.k.a. Tito and Burro

§

LUIS AGUSTIN HERNANDEZ (3)

§

a.k.a. La Wicha

§

MANUEL MERCADO (4)

§

MAURICE SMITH (5)

§

RANDALL ROBINSON (6)

§

RONNIE COLEY (7)

§

OKERA ULIMENGU (8)

§

MOISES DUARTE (9)

§

RAMIRO NAVA (10)

§

EDUARD SPAHIU (11)

§

ALTIN KORE (12)

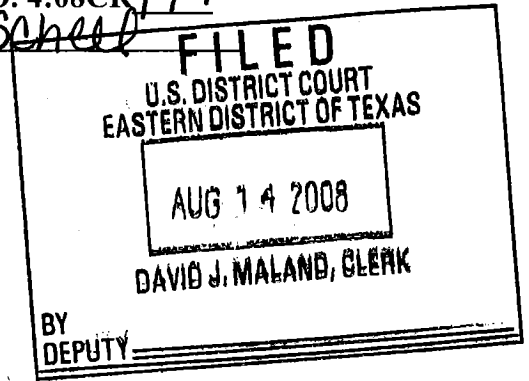
§

BRENDA MEDINA SALINAS (13)

§

§

§



INDICTMENT

The United States Grand Jury charges:

COUNT 1

Violation: Title 21 U.S.C. § 846
(Conspiracy to Possess with Intent to
Distribute Cocaine) and Title 18 U.S.C. § 2
(Aiding and Abetting)

That from sometime on or about January 2007, and continuously thereafter up to and
including August 14, 2008, in the Eastern District of Texas and elsewhere,

HIGINIO LOPEZ HERNANDEZ
HENRY HERNANDEZ
LUIS AGUSTIN HERNANDEZ
MANUEL MERCADO

**MAURICE SMITH
RANDALL ROBINSON
RONNIE COLEY
OKERA ULIMENGU
MOISES DUARTE
RAMIRO NAVA
EDUARD SPAHIU
ALTIN KORE
BRENDA MEDINA SALINAS**

defendants herein, did knowingly and intentionally combine, conspire, and agree with each other, and with other persons known and unknown to the United States Grand Jury to knowingly and intentionally possess with the intent to distribute and dispense five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 846 and Title 18, United States Code, Section 2.

COUNT 2

Violation: 18 U.S.C. § 924(c)
(Possession of a Firearm in Furtherance of a
Drug Trafficking Crime)

On or about July 31, 2008, in the Northern District of Texas, Defendant **HENRY HERNANDEZ** did knowingly possess firearms, namely, (1) a Jennings, 9mm handgun, Serial Number 1053043, (2) a Smith & Wesson, 9mm handgun, Serial Number a708413 and (3) a Smith & Wesson, .38 caliber handgun, Serial Number K855540, in furtherance of a drug trafficking crime for which he may be prosecuted in a Court of the United States, to wit, the offense alleged in Count One of this Indictment: conspiracy to possess with intent to distribute 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, a

violation of 21 U.S.C. § 846.

All in violation of Title 18, United States Code, Section 924(c).

COUNT 3

Violation: 18 U.S.C. § 924(c)
(Possession of a Firearm in Furtherance of a
Drug Trafficking Crime)

On or about July 31, 2008, in the Northern District of Texas, Defendant **LUIS AGUSTIN HERNANDEZ** did knowingly possess firearms, namely, (1) a Jennings, 9mm handgun, Serial Number 1053043, (2) a Smith & Wesson, 9mm handgun, Serial Number a708413 and (3) a Smith & Wesson, .38 caliber handgun, Serial Number K855540, in furtherance of a drug trafficking crime for which he may be prosecuted in a Court of the United States, to wit, the offense alleged in Count One of this Indictment: conspiracy to possess with intent to distribute 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, a violation of 21 U.S.C. § 846.

All in violation of Title 18, United States Code, Section 924(c).

COUNT 4

Violation: 18 U.S.C. § 924(c)
(Possession of a Firearm in Furtherance of a
Drug Trafficking Crime)

On or about July 29, 2008, in the Northern District of Texas, Defendant **RAMIRO NAVA** did knowingly possess a firearm, namely, a Ruger Model P89, 9mm handgun, Serial Number 31068815, in furtherance of a drug trafficking crime for which he may be prosecuted in a Court of the United States, to wit, the offense alleged in Count One of this Indictment: conspiracy to possess with intent to distribute 5 kilograms or more of a mixture or substance

containing a detectable amount of cocaine, a violation of 21 U.S.C. § 846.

All in violation of Title 18, United States Code, Section 924(c).

COUNT 5

Violation: 18 U.S.C. § 924(c)
(Possession of a Firearm in Furtherance of a
Drug Trafficking Crime)

On or about July 31, 2008, in the Northern District of Texas, Defendant **ALTIN KORE** did knowingly possess firearms, namely, (1) a Springfield Armory, 9mm handgun, Serial Number US953426, (2) a Llama, .380 handgun, Serial Number 535227, in furtherance of a drug trafficking crime for which he may be prosecuted in a Court of the United States, to wit, the offense alleged in Count One of this Indictment: conspiracy to possess with intent to distribute 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, a violation of 21 U.S.C. § 846.

All in violation of Title 18, United States Code, Section 924(c).

NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE

Criminal Forfeiture Pursuant to 18 U.S.C. 924(d) and 21 U.S.C. § 853

As a result of committing the foregoing offenses charged in this Indictment, all Defendants herein used or intended to use, the below described property to commit or facilitate the said controlled substance violation and the below described property is derived from proceeds obtained directly or indirectly as a result of the commission of the aforesaid violations of 18 U.S.C. 924(c) and 21 U.S.C. 846, including but not limited to:

\$190,870.00 seized from 6311 Shady Brook, Apartment No. 2304;

\$220,150.00 seized from 1200 Main Street, Unit 809;

\$15,394.01 in U.S. currency and/or coin, more or less, on deposit JP Morgan Chase Bank, N.A. Texas Market, PO Box 260180, Baton Rouge, LA 70826; Account Holder: AK & Associates, 1200 Main Street Apt. 809, Dallas, Texas 75202; Account Number: 000000757322094;

\$133,356.84 in U.S. currency and/or coin, more or less, on deposit JP Morgan Chase Bank, N.A. Texas Market, PO Box 260180, Baton Rouge, LA 70826; Account Holder: AK & Associates, 1200 Main Street Apt. 809, Dallas, Texas 75202; Account Number: 000002740735622

\$112,000.00 in U.S. currency and/or coin, more or less, on deposit Chase Investment Services Corp., 300 South Riverside Plaza, Suite IL1-0291, 11th Floor, Chicago, IL 60670; Account Holder: Altin Kore, 1200 Main Street, Apt. 809, Dallas, Texas 75202; Account No. PZ7016721;

\$2,394.16 in U.S. currency and/or coin, more or less, on deposit Chase Investment Services Corp., 300 South Riverside Plaza, Suite IL1-0291, 11th Floor, Chicago, IL 60670; Account Holder: Altin Kore, 1200 Main Street, Apt. 809, Dallas, Texas 75202 Bank Account No. 642605174;

U.S. currency and/or coin, more or less, on deposit at Fagenson & Co., Inc., 60 Broad Street, New York, NY 10004; Account Holder: Edward Spahiu, 3521 Oaklawn Avenue, Suite 405, Dallas, Texas 75219; Account No. 74440110;

U.S. currency and/or coin, more or less, on deposit at Fagenson & Co., Inc., 60 Broad Street, New York, NY 10004; Account Holder: Altin Kore, 6311 Shady Brook Apt. 2304, Dallas, Texas 75206; Account No. 50167912;

U.S. currency and/or coin, more or less, on deposit at Franklin Ross, 4372 Province Line Road, Princeton, NJ 08540; Account Holder: Altin Kore, 4710 Travis Street, Dallas, Texas 75205; Account Number: 51952674;

\$2,394.16 in U.S. currency and/or coin, more or less, on deposit JP Morgan Chase Bank, N.A. Texas Market, PO Box 260180, Baton Rouge, LA 70826; Account Holder: Altin Kore, 1200 Main Street, Apt. 809, Dallas, Texas 75202; Account Number: 000000642605174;

U.S. currency and/or coin, more or less, on deposit at Bank of America, Account Holder: Altin Kore, 4710 Travis Street, Dallas, Texas 75205; Account No. 004787314523 and 488004183118;

Jennings, 9mm handgun, Serial Number 1053043;

Smith & Wesson, 9mm handgun, Serial Number A708413;
Smith & Wesson, .38 caliber handgun, Serial Number K855540;
Ruger Model P89, 9mm handgun, Serial Number 31068815;
Springfield Armory, 9mm handgun, Serial Number US953426; and
Llama, .380 handgun, Serial Number 535227.

SUBSTITUTE ASSETS -

If any of the above-described forfeitable property, as a result of any act or omission of Defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) to seek forfeiture of any other property of said Defendant(s) up to the value of the forfeitable property described above.

By virtue of the commission of the felony offenses charged in this Indictment by defendants, any and all interest they have in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 18 U.S.C. § 924(d) and 21 U.S.C. § 853.

A TRUE BILL



FOREMAN OF THE GRAND JURY

REBECCA A. GREGORY
United States Attorney

ERNEST GONZALEZ
Assistant United States Attorney

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BRENDA MEDINA SALINAS (13)

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NOTICE OF PENALTY

COUNT 1

Violation: 21 U.S.C. § 846

Penalty: If 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine – not less than 10 years and not more than life imprisonment, a fine not to exceed \$4 million, or both; supervised release of at least five (5) years;

If 500 grams or more but less than 5 kilograms of a mixture or substance containing a detectable amount of cocaine – not less than five (5) and not more than 40 years imprisonment, a fine not to exceed \$2 million, or both; supervised release of at least four (4) years;

If less than 500 grams of a mixture or substance containing a detectable amount of cocaine – not more than 20 years imprisonment, a fine not to exceed \$1 million, or both; supervised release of at least three (3) years.

Special Assessment: \$100.00

COUNTS 2-5

Violation: 18 U.S.C. § 924(c)

Penalty: Imprisonment for not less than 5 years and not more than life; a fine not to exceed \$250,000, or both. A term of supervised release of not more than (5) years.

Special Assessment: \$100.00